

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

UNITED STATES OF AMERICA,) CR. NO. 1:06-1254
) COLUMBIA, SC
) MAY 28, 2008
)

VERSUS)

KELVIN B. BADGER,)
DEFENDANT.)
_____)

BEFORE THE HONORABLE MARGARET B. SEYMOUR
UNITED STATES DISTRICT COURT JUDGE
SENTENCING HEARING

APPEARANCES:

FOR THE GOVERNMENT: J. D. ROWELL, AUSA
UNITED STATES ATTORNEY'S OFFICE
1441 MAIN STREET, SUITE 500
COLUMBIA, SC 29201

FOR THE DEFENDANT: ROBERT J. HARTE, ESQ.
P. O. BOX 1959
AIKEN, SC 29802

GLENN WALTERS, ESQ.
P. O. BOX 1346
ORANGEBURG, SC 29116

COURT REPORTER: DEBRA R. JERNIGAN, RPR, CRR
UNITED STATES COURT REPORTER
901 RICHLAND STREET
COLUMBIA, SC 29201

STENOTYPE/COMPUTER-AIDED TRANSCRIPTION

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1 MR. ROWELL: THE NEXT CASE IS UNITED STATES OF
2 AMERICA VERSUS KELVIN BERNARD BADGER, 1:06-1254. MR. BADGER
3 IS PRESENT IN COURT AND REPRESENTED BY COUNSEL. YOUR HONOR,
4 WE ARE HERE ON THE MATTER OF SENTENCING.

5 THE COURT: MR. BADGER, YOU MAY COME FORWARD WITH
6 YOUR ATTORNEYS.

7 MR. WALTERS: GOOD MORNING, YOUR HONOR.

8 THE COURT: GOOD MORNING. MR. WALTERS, MR. HARTE,
9 HAVE YOU HAD AN OPPORTUNITY TO REVIEW THE PRESENTENCE REPORT?

10 MR. WALTERS: YES.

11 MR. HARTE: YES.

12 THE COURT: MR. BADGER, HAVE YOU ALSO REVIEWED THAT
13 REPORT?

14 THE DEFENDANT: NO, MA'AM.

15 THE COURT: YOU HAVE NOT SEEN YOUR PRESENTENCE
16 REPORT?

17 ALL RIGHT. I THINK THAT MR. BADGER NEEDS TO REVIEW
18 THAT REPORT. DID YOU NOT MEET WITH HIM AND GO OVER THAT
19 REPORT?

20 MR. HARTE: YOUR HONOR, WE THOUGHT --

21 MR. WALTERS: THOUGHT THE OTHER PERSON DID.

22 THE COURT: HE NOT HAVING AN OPPORTUNITY TO REVIEW
23 THAT REPORT, WE CANNOT GO FORWARD WITH THIS SENTENCING AT THIS
24 TIME. SO WE ARE GOING TO HAVE TO CONTINUE IT. IS IT
25 POSSIBLE THAT YOU CAN GO OVER IT? I DON'T KNOW WHAT

1 ARRANGEMENTS YOU CAN MAKE TO GO OVER IT WITH HIM. WE WILL
2 SCHEDULE IT FOR ANOTHER TIME. DO YOU UNDERSTAND THAT, MR.
3 BADGER?

4 THE DEFENDANT: YES, MA'AM.

5 THE COURT: I DON'T KNOW IF YOU WANT TO GO OVER IT
6 WITH HIM NOW AND IF THAT IS ENOUGH TIME AND WE CAN DO IT THIS
7 AFTERNOON OR WHETHER YOU WOULD LIKE TO RESCHEDULE IT FOR
8 ANOTHER DAY IF YOU HAVEN'T GONE OVER IT WITH HIM.

9 MR. WALTERS: I WOULD LIKE TO RESCHEDULE, YOUR
10 HONOR.

11 MR. HARTE: I WOULD LIKE TO RESCHEDULE.

12 THE COURT: MR. BADGER, WE WILL RESCHEDULE YOUR
13 HEARING AFTER YOU HAVE HAD AN OPPORTUNITY TO GO OVER YOUR
14 REPORT WITH YOUR LAWYERS. DO YOU HAVE ANY QUESTIONS?

15 THE DEFENDANT: NO.

16 THE COURT: OKAY. THANK YOU.

17 *** END OF REQUESTED TRANSCRIPT ***

18 * * * * *

19 CERTIFICATE OF REPORTER

20 I CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT FROM
21 MY STENOGRAPHIC NOTES IN THE ABOVE-ENTITLED MATTER.

22
23 S/DEBRA R. JERNIGAN, RPR, CRR

JANUARY 9, 2009

24 DATE
25